

Docket No.:



UOWA-8P4D1

PATENT

T.A.
3-12-02
#7/Election

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Matthew A. Howard, III

Serial No.: 09/661,153

Confirm. No.: 7887

Filed: September 13, 2000

For: STEREOTACTIC HYPOTHALAMIC OBESITY PROBE

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Group Art Unit: 3763

Examiner: K. Assadi

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REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

In reply to the Office Action of February 7, 2002, wherein restriction has been required, Applicant hereby elects Group I (claims 8-15 and 40-44), with traverse, for prosecution in the above-identified application.

It is respectfully submitted that the subject matter of each of the designated inventions is sufficiently related that a thorough search for the subject matter of each of the designated inventions would encompass a search for the subject matter of the remaining designated inventions. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." It is respectfully submitted that this policy should apply in the present

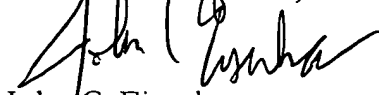
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application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



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Date: March 7, 2002